

MINUTES  
MANSFIELD PLANNING AND ZONING COMMISSION  
Regular Meeting  
Monday September 21, 2015  
Council Chamber, Audrey P. Beck Municipal Building

Members present: B. Chandy, R. Hall (7:19 p.m.), G. Lewis, K. Rawn, B. Ryan, V. Ward  
Members absent: J. Goodwin, B. Pociask  
Alternates present: P. Aho, K. Holt (7:48 p.m.), S. Westa  
Staff present: Linda Painter, Director of Planning and Development  
Curt Hirsch, Zoning Agent

Vice Chairman Ryan called the meeting to order at 7:05 p.m. and appointed Alternates Aho and Westa to act in members' absence. Alternate Holt was appointed to act upon her arrival at 7:48 p.m.

**Approval of Minutes:**

a. September 8, 2015 Regular Meeting

Chandy MOVED, Rawn seconded, to approve the 09-08-15 minutes as presented. MOTION PASSED UNANIMOUSLY. Aho noted that he listened to the recording.

b. September 16, 2015 Field Trip

Aho MOVED, Ryan seconded, to approve the 09-16-15 field trip minutes as presented. MOTION PASSED with Aho and Ryan in favor and all others disqualified.

**Zoning Agent's Report:**

None.

**Public Hearing:**

**Zoning Map Amendment, A. Gioscia, 1708 Stafford Road, PZC File #1335**

Vice Chair Ryan opened the Public Hearing at 7:08 p.m. Members present were Ryan, Chandy, Lewis, Rawn, Ward and Alternates Aho and Westa who were both appointed to act. Linda Painter noted that there are two hearings tonight on this property and will read the full legal notice into the record that was printed in The Chronicle on 9/8/15 and 9/16/15. Painter also noted her memo dated 9/17/15 and read the 9/18/15 opinion from CROG into the record.

Anthony Gioscia, property owner and applicant reviewed his request for a map amendment and discussed the surrounding parcels and their commercial uses and the increase of traffic and population of the intersection since the house was built.

Linda Painter, Director of Planning and Development, noted that copies of the neighborhood notice were received and the applicant confirmed that there are no wetlands on the property.

Vice Chair noted no public comment or further questions from the Commission. Rawn MOVED, Ward seconded to close the Public Hearing at 7:19 p.m. MOTION PASSED UNANIMOUSLY.

\*\*Hall arrived at 7:19 p.m.

**Special Permit Application, A. Gioscia, 1708 Stafford Road, PZC File #1336**

Vice Chair Ryan opened the second portion of the 1708 Stafford Road Public Hearing regarding the Special Permit Application for the site at 7:20 p.m. Members present were Ryan, Chandy, Lewis, Rawn, Hall, Ward and Alternates Aho and Westa who were both appointed to act. Linda Painter noted that there are two

hearings tonight on this property and read the full legal notice into the record during the first portion of that hearing that was printed in The Chronicle on 9/8/15 and 9/16/15. Painter also noted her memo dated 9/17/15; a 9/15/15 letter from Andrew S. Morrill from CT D.O.T.; an 8/27/15 memo from D. Dilaj, Assistant Town Engineer; an 8/26/15 memo from F. Raiola, Deputy Chief/Fire Marshal; and an 8/4/15 Plan Approval from Eastern Highlands Health District. She noted the applicant submitted abutter's notification.

Gioscia noted that he is modifying less than ½ acre of the site which will be the house and parking area. He submitted elevations for the file and discussed the waivers he is requesting.

The Vice Chair noted no public comment or further questions from the Commission. At 7:30 p.m. Rawn MOVED, Chandy seconded, to continue the Public Hearing to 10/5/15. MOTION PASSED UNANIMOUSLY.

### **Special Permit Application, Chucks Steak House, 1498 Stafford Road, PZC File#303-2**

Vice Chair Ryan opened the Continued Public Hearing at 7:31 p.m. Members present were Ryan, Chandy, Hall, Lewis, Rawn, Ward and Alternates Aho and Westa who were both appointed to act. Alternate Holt arrived at 7:48 p.m. and was appointed to act.

Linda Painter, Director of Planning and Development, noted a 9/17/15 memo from herself; a 9/9/15 email from Peter and Emily Benn from 26a Crystal Lane; a 9/8/15 email from Aaron Paterson from 26b Crystal Lane; and a 9/21/15 email from Kathleen Paterson of Crystal Lane, distributed tonight.

Attorney Dorian R. Famiglietti, of Kahan Kerensky & Capossella, LLP., representing the applicant, asked that the letter received tonight by Kathleen Paterson be read into the record since they had not previously seen or read it. Attorney Famiglietti reviewed the proposal and noted key components which included: no music will be played outdoors; there will be no bar on the patio, only food and beverage service; the patio will be on the parking lot side of the building to utilize the building as a noise buffer to the condo association; the patio hours will end at 11 p.m. and noted that management is working to minimize noise from the employees after hours.

Bennett Brooks, Brooks Acoustics Corporation, reviewed his findings and the impact to neighboring properties. He distributed a rendering of the proposed sound barrier for the bar employee break area.

Mike Gallagher, part owner of Chucks Steak House, reviewed the steps he has taken to minimize the impact on neighbors.

Cassandra Moore, condo unit owner, agreed with what Kathleen Paterson has stated in her letter. Moore noted that she has lived there for 5 years and is concerned with the negative impact that the deck/patio addition will have on the community and her property value.

Curt Hirsch, Zoning Agent, wanted to put on the record that according to his files he has listed that 219 seats were approved by the Planning and Zoning Commission and noted that they are proposing that there will be 268 seats.

Attorney Famiglietti reviewed the number of parking spaces based on the minimum requirements and summarized that there are more than the required number.

Vice Chair Ryan noted there were no further questions or comments from the public or the Commission. Holt MOVED, Chandy seconded, to close the public hearing at 8:35 p.m. MOTION PASSED UNANIMOUSLY.

**Old Business:**

- a. **Special Permit Application, Chucks Steak House, 1498 Stafford Road, PZC File#303-2**  
Rawn volunteered to work with staff on a motion for the next meeting.
- b. **Zoning Map Amendment, A. Gioscia, 1708 Stafford Road, PZC File #1335**  
Lewis volunteered to work with staff on a motion for the next meeting.
- c. **Special Permit Application, A. Gioscia, 1708 Stafford Road, PZC File #1336**  
Item tabled pending public hearing continuation on 10/5/15.

**New Business:**

- a. **Modification Request, Storrs Road Plaza, 131-145 Storrs Road, PZC File#942-2**  
Hirsch noted that generally this is something that he and the Chairman would sign off on, but the Chairman recused herself because of a conflict of interest; therefore, he brought it to the full Commission but did not charge the applicant for a full commission request.

After discussion about the site and the current planters, Ward MOVED, Hall seconded, that the PZC authorize the Chairman and the Zoning Agent to approve the 8/20/15 Request for Modifications of Hayes-Kaufman Mansfield, to replace the existing brick planters with the six composite planters, at the Storrs Road Plaza. The applicant is reminded that there is an ongoing maintenance obligation for maintaining the planters. The proposed modifications will not have a significant impact on plans approved by the PZC in 1988. MOTION PASSED UNANIMOUSLY.

**Mansfield Tomorrow:**

Painter anticipates having draft copies of the Zoning Regulations to the Commission in October.

**Reports from Officers and Committees:**

No reports were noted. The Director of Planning and Development informed the Commission she would be calling for an Infrastructure Subcommittee meeting to consider local roads for federally-funded projects.

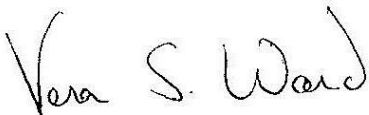
**Communications and Bills:**

Noted.

**Adjournment:**

The Vice Chair declared the meeting adjourned at 9:05 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Vera S. Ward". The signature is written in a cursive, flowing style.

Vera S. Ward, Secretary